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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE IRMA E. GONZALEZ)

11 UNITED STATES OF AMERICA,

Case No. 08CR0283-IEG

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Plaintiff,

DATE: July 14, 2008
TIME: 2:00 p.m.

v.

NOTICE OF MOTIONS *IN LIMINE* AND
MOTIONS *IN LIMINE*:

ENRIQUE AYON-CORTEZ,

Defendant.

- 1) TO EXCLUDE DEPORTATION DOCUMENTS;
- 2) TO PROHIBIT EVIDENCE UNDER FED. R. EVID. 404(B) AND 609;
- 3) TO EXCLUDE WITNESSES (A-FILE CUSTODIAN);
- 4) TO ALLOW ATTORNEY-CONDUCTED VOIR DIRE;
- 5) TO PROHIBIT WITNESSES FROM REFERRING TO MR. AYON-CORTEZ AS "THE ALIEN";
- 6) PRODUCE GRAND JURY TRANSCRIPTS;
- 7) TO SUPPRESS THE DEPORTATION HEARING AUDIOTAPE OR TRANSCRIPT;
- 8) TO PRECLUDE EXPERT TESTIMONY;
- 9) TO PRECLUDE EVIDENCE OF REINSTATEMENTS; AND
- 10) ALLOW LEAVE TO FILE FURTHER MOTIONS.

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TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND
STEWART M. YOUNG, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on July 14, 2008, at 2:00 p.m., or as soon thereafter as counsel may be heard, the defendant, Enrique Ayon-Cortez, by and through his attorneys, Sara M. Peloquin and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the motions *in limine* listed below.

MOTIONS IN LIMINE

Enrique Ayon-Cortez, the accused in this case, by and through his attorneys, Sara M. Peloquin and Federal Defenders of San Diego, Inc., pursuant to the Amendments to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

1. exclude deportation documents;
2. prohibit evidence under Fed. R. Evid. 404(b) and 609 evidence;
3. exclude witnesses (A-file Custodian);
4. allow attorney-conducted *voir dire*;
5. prohibit witnesses from referring to Mr. Ayon-Cortez as "the alien"
6. produce grand jury transcripts;
7. suppress the deportation hearing audiotape or transcript;
8. preclude expert testimony;
9. preclude evidence of reinstatements; and
10. to allow leave to file further motions.

These motions are based upon the instant motions and notice of motions *in limine*, the attached statement of facts and memorandum of points and authorities, and any and all other materials that may be adduced at the time of the hearing on these motions.

Respectfully submitted,

Dated: July 8, 2008

/s/ Sara M. Peloquin
SARA M. PELOQUIN
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Ayon-Cortez